

## Chapter 7

# Leadership and Ethics for Counterinsurgency

*Leaders must have a strong sense of the great responsibility of their office; the resources they will expend in war are human lives.*

Marine Corps Doctrinal Publication 1, 1997

There are leadership and ethical imperatives that are prominent and, in some cases, unique to counterinsurgency. The dynamic and ambiguous environment of modern counterinsurgency places a premium on leadership at every level, from sergeant to general. Combat in counterinsurgency is frequently a small-unit leader's fight; however, commanders' actions at brigade and division levels can be more significant. Senior leaders set the conditions and the tone for all actions by subordinates. Today's Soldiers and Marines are required to be competent in a broad array of tasks. They must also rapidly adapt cognitively and emotionally to the perplexing challenges of counterinsurgency and master new competencies as well as new contexts. Those in leadership positions must provide the moral compass for their subordinates as they navigate this complex environment. Underscoring these imperatives is the fact that exercising leadership in the midst of ambiguity requires intense, discriminating professional judgment.

## LEADERSHIP IN COUNTERINSURGENCY

7-1. Army and Marine Corps leaders are expected to act ethically and in accordance with shared national values and Constitutional principles, which are reflected in the law and military oaths of service. These leaders have the unique professional responsibility of exercising military judgment on behalf of the American people they serve. They continually reconcile mission effectiveness, ethical standards, and thoughtful stewardship of the Nation's precious resources—human and material—in the pursuit of national aims.

7-2. Army and Marine Corps leaders work proactively to establish and maintain the proper ethical climate of their organizations. They serve as visible examples for every subordinate, demonstrating cherished values and military virtues in their decisions and actions. Leaders must ensure that the trying counterinsurgency (COIN) environment does not undermine the values of their Soldiers and Marines. Under all conditions, they must remain faithful to basic American, Army, and Marine Corps standards of proper behavior and respect for the sanctity of life.

7-3. Leaders educate and train their subordinates. They create standing operating procedures and other internal systems to prevent violations of legal and ethical rules. They check routinely on what Soldiers and Marines are doing. Effective leaders respond quickly and aggressively to signs of illegal or unethical behavior. The Nation's and the profession's values are not negotiable. Violations of them are not just mistakes; they are failures in meeting the fundamental standards of the profession of arms.

## LARGE- AND SMALL-UNIT LEADERSHIP TENETS

7-4. There are basic leadership tenets that apply to all levels of command and leadership in COIN, though their application and importance may vary.

7-5. Effective leaders ensure that Soldiers and Marines are properly trained and educated. Such training includes cultural preparation for the operational environment. In a COIN environment, it is often counter-

productive to use troops that are poorly trained or unfamiliar with operating close to the local populace. COIN forces aim to mobilize the good will of the people against the insurgents. Therefore, the populace must feel protected, not threatened, by COIN forces' actions and operations.

7-6. Proper training addresses many possible scenarios of the COIN environment. Education should prepare Soldiers and Marines to deal with the unexpected and unknown. Senior commanders should, at a minimum, ensure that their small-unit leaders are inculcated with tactical cunning and mature judgment. Tactical cunning is the art of employing fundamental skills of the profession in shrewd and crafty ways to out-think and out-adapt enemies. Developing mature judgment and cunning requires a rigorous regimen of preparation that begins before deployment and continues throughout. Junior leaders especially need these skills in a COIN environment because of the decentralized nature of operations.

7-7. Senior leaders must determine the purpose of their operations. This entails, as discussed in chapter 4, a design process that focuses on learning about the nature of unfamiliar problems. Effective commanders know the people, topography, economy, history, and culture of their area of operations (AO). They know every village, road, field, population group, tribal leader, and ancient grievance within it. The COIN environment changes continually; good leaders appreciate that state of flux and constantly assess their situation.

7-8. Another part of analyzing a COIN mission involves assuming responsibility for everyone in the AO. This means that leaders feel the pulse of the local populace, understand their motivations, and care about what they want and need. Genuine compassion and empathy for the populace provide an effective weapon against insurgents.

7-9. Senior leaders exercise a leadership role throughout their AO. Leaders directly influence those in the chain of command while indirectly leading everyone else within their AO. Elements engaged in COIN efforts often look to the military for leadership. Therefore, military actions and words must be beyond reproach. The greatest challenge for leaders may be in setting an example for the local populace. Effective senior and junior leaders embrace this role and understand its significance. It involves more than just killing insurgents; it includes the responsibility to serve as a moral compass that extends beyond the COIN force and into the community. It is that moral compass that distinguishes Soldiers and Marines from the insurgents.

7-10. Senior commanders must maintain the "moral high ground" in all their units' deeds and words. Information operations complement and reinforce actions, and actions reinforce the operational narrative. All COIN force activity is wrapped in a blanket of truth. Maintaining credibility requires commanders to immediately investigate all allegations of immoral or unethical behavior and provide a prudent degree of transparency.

7-11. Army and Marine Corps leaders emphasize that on the battlefield the principles of honor and morality are inextricably linked. Leaders do not allow subordinates to fall victim to the enormous pressures associated with prolonged combat against elusive, unethical, and indiscriminate foes. The environment that fosters insurgency is characterized by violence, immorality, distrust, and deceit; nonetheless, Army and Marine Corps leaders continue to demand and embrace honor, courage, and commitment to the highest standards. They know when to inspire and embolden their Soldiers and Marines and when to enforce restraint and discipline. Effective leaders at all levels get out and around their units, and out among the populace. Such leaders get a true sense of the complex situation in their AO by seeing what subordinates are actually doing, exchanging information with military and interagency leaders, and—most importantly—listening.

7-12. Leaders at every level establish an ethical tone and climate that guards against the moral complacency and frustrations that build up in protracted COIN operations. Leaders remain aware of the emotional toll that constant combat takes on their subordinates and the potential for injuries resulting from combat stress. Such injuries can result from cumulative stress over a prolonged period, witnessing the death of a comrade, or killing other human beings. Caring leaders recognize these pressures and provide emotional "shock absorbers" for their subordinates. Soldiers and Marines must have outlets to share their feelings and reach closure on traumatic experiences. These psychological burdens may be carried for a long time. Leaders watch for signs of possible combat stress within individuals and units. These signs include—

- Physical and mental fatigue.
- Lack of respect for human life.
- Loss of appetite, trouble with sleep, and no interest in physical hygiene.
- Lack of unit cohesion and discipline.
- Depression and fatalism.

(See FM 6-22.5/MCRP 6-11C for techniques first-line leaders can use to prevent, identify, and treat combat stress reactions.)

7-13. Combat requires commanders to be prepared to take some risk, especially at the tactical level. Though this tenet is true for the entire spectrum of conflict, it is particularly important during COIN operations, where insurgents seek to hide among the local populace. Risk takes many forms. Sometimes accepting it is necessary to generate overwhelming force. However, in COIN operations, commanders may need to accept substantial risk to de-escalate a dangerous situation. The following vignette illustrates such a case.

### Defusing a Confrontation

[On 3 April 2005, a] small unit of American soldiers was walking along a street in Najaf [en route to a meeting with a religious leader] when hundreds of Iraqis poured out of the buildings on either side. Fists waving, throats taut, they pressed in on the Americans, who glanced at one another in terror. ...The Iraqis were shrieking, frantic with rage.... [It appeared that a shot would] come from somewhere, the Americans [would] open fire, and the world [would] witness the My Lai massacre of the Iraq war. At that moment, an American officer stepped through the crowd holding his rifle high over his head with the barrel pointed to the ground. Against the backdrop of the seething crowd, it was a striking gesture.... "Take a knee," the officer said.... The Soldiers looked at him as if he were crazy. Then, one after another, swaying in their bulky body armor and gear, they knelt before the boiling crowd and pointed their guns at the ground. The Iraqis fell silent, and their anger subsided. The officer ordered his men to withdraw [and continue on their patrol].

© Dan Baum, "Battle Lessons, What the Generals Don't Know," *The New Yorker*, Jan 17, 2005.

7-14. Leaders prepare to indirectly inflict suffering on their Soldiers and Marines by sending them into harm's way to accomplish the mission. At the same time, leaders attempt to avoid, at great length, injury and death to innocents. This requirement gets to the very essence of what some describe as "the burden of command." The fortitude to see Soldiers and Marines closing with the enemy and sustaining casualties day in and day out requires resolve and mental toughness in commanders and units. Leaders must develop these characteristics in peacetime through study and hard training. They must maintain them in combat.

7-15. Success in COIN operations requires small-unit leaders agile enough to transition among many types of missions and able to adapt to change. They must be able to shift through a number of activities from nation building to combat and back again in days, or even hours. Alert junior leaders recognize the dynamic context of a tactical situation and can apply informed judgment to achieve the commander's intent in a stressful and ambiguous environment. COIN operations are characterized by rapid changes in tactical and operational environments. The presence of the local populace within which insurgents may disappear creates a high degree of ambiguity. Adaptable leaders observe the rapidly changing situation, identify its key characteristics, ascertain what has to be done in consultation with subordinates, and determine the best method to accomplish the mission.

7-16. Cultural awareness has become an increasingly important competency for small-unit leaders. Perceptive junior leaders learn how cultures affect military operations. They study major world cultures and put a priority on learning the details of the new operational environment when deployed. Different solutions are required in different cultural contexts. Effective small-unit leaders adapt to new situations, realizing their words and actions may be interpreted differently in different cultures. Like all other competencies, cultural awareness requires self-awareness, self-directed learning, and adaptability.

7-17. Self-aware leaders understand the need to assess their capabilities and limitations continually. They are humble, self-confident, and brave enough to admit their faults and shortcomings. More important, self-aware leaders work to improve and grow. After-action reviews, exchanging information with subordinate and interagency leaders, and open discussions throughout a COIN force are essential to achieve understanding and improvement. Soldiers and Marines can become better, stronger leaders through a similar habit of self-examination, awareness, and focused corrective effort.

7-18. Commanders exercise initiative as leaders and fighters. Learning and adapting, with appropriate decision-making authority, are critical to gaining an advantage over insurgents. Effective senior leaders establish a climate that promotes decentralized modes of command and control—what the Army calls mission command and the Marine Corps calls mission command and control. Under mission command, commanders create the conditions for subordinates' success. These leaders provide general guidance and the commander's intent and assign small-unit leaders authority commensurate with their responsibilities. Commanders establish control measures to monitor subordinates' actions and keep them within the bounds established by commander's intent without micromanaging. At the same time, Soldiers and Marines must feel the commander's presence throughout the AO, especially at decisive points. The operation's purpose and commander's intent must be clearly understood throughout the force.

7-19. The practice of leaders sharing hardship and danger with subordinates builds confidence and esprit. Soldiers and Marines are more confident in their chances of success when they know that their leaders are involved. They understand their leaders are committing them to courses of action based on firsthand knowledge. However, this concept of leaders being fighters does not absolve leaders from remembering their position and avoiding needless risk.

7-20. COIN operations require leaders to exhibit patience, persistence, and presence. While leading Soldiers and Marines, commanders cooperate with, and leverage the capabilities of, multinational partners, U.S. Government agencies, and nongovernmental organizations. Commanders also gain the confidence of the local populace while defeating and discrediting the insurgents.

### **Patience, Presence, and Courage**

For the first two months of 2006, the Marine platoon of the 22d Marine Expeditionary Unit had walked the streets in Iraq on foot without serious incident. Their patrols had moved fearlessly around lines of cars and through packed markets. For the most part, their house calls began with knocks, not kicks. It was their aim to win the respect of the city's Sunni Arab population.

Suddenly things changed. An armored HMMWV on night patrol hit an improvised explosive device. The bomb destroyed the vehicle. Five Marines were wounded and two died shortly thereafter. A third Marine, a popular noncommissioned officer, later died of his wounds as well.

The platoon was stunned. Some of the more veteran noncommissioned officers shrugged it off, but the younger Marines were keyed up and wanted to make the elusive enemy pay a price. A squad leader stood up in the squad bay asserted that there would be a pile of dead Arabs on the street when the platoon went out the next day.

Just then, the company commander walked in. He was widely respected and generally short on words. He quickly sensed the unit's mood and recognized the potential danger in their dark attitude. Speaking directly to his Marines, the commander urged them to remember why they were there. He reminded them that a very small percentage of the populace was out to create problems. It was that minority that benefited from creating chaos. The enemy would love to see an overreaction to the attack, and they would benefit from any actions that detracted from the Marines' honor or purpose. The commander urged his Marines not to get caught up in the anger of the moment and do something they all would regret for a long time. Rather, they needed to focus on what the force was trying to accomplish and keep their minds on the mis-

sion. They had taken some hits and lost some good men, the commander said, but escalating the violence would not help them win. It would fall for the insurgents' strategy instead of sticking to the Marines' game plan of winning the respect of the populace.

The commander knew his Marines and understood the operational environment. He assessed the situation and acted aggressively to counter a dangerous situation that threatened mission accomplishment. By his actions, the commander demonstrated patience, presence, and courage.

## ETHICS

7-21. Article VI of the U.S. Constitution and the Army Values, Soldier's Creed, and Core Values of U.S. Marines all require obedience to the law of armed conflict. They hold Soldiers and Marines to the highest standards of moral and ethical conduct. Conflict brings to bear enormous moral challenges, as well as the burden of life-and-death decisions with profound ethical considerations. Combat, including counterinsurgency and other forms of unconventional warfare, often obligates Soldiers and Marines to accept some risk to minimize harm to noncombatants. This risk taking is an essential part of the Warrior Ethos. In conventional conflicts, balancing competing responsibilities of mission accomplishment with protection of noncombatants is difficult enough. Complex COIN operations place the toughest of ethical demands on Soldiers, Marines, and their leaders.

7-22. Even in conventional combat operations, Soldiers and Marines are not permitted to use force disproportionately or indiscriminately. Typically, more force reduces risk in the short term. But American military values obligate Soldiers and Marines to accomplish their missions while taking measures to limit the destruction caused during military operations, particularly in terms of collateral harm to noncombatants. It is wrong to harm innocents, regardless of their citizenship.

7-23. Limiting the misery caused by war requires combatants to consider certain rules, principles, and consequences that restrain the amount of force they may apply. At the same time, combatants are not required to take so much risk that they fail in their mission or forfeit their lives. As long as their use of force is proportional to the gain to be achieved and discriminates in distinguishing between combatants and noncombatants. Soldiers and Marines may take actions where they knowingly risk, but do not intend, harm to noncombatants.

7-24. Ethically speaking, COIN environments can be much more complex than conventional ones. Insurgency is more than combat between armed groups; it is a political struggle with a high level of violence. Insurgents try to use this violence to destabilize and ultimately overthrow a government. Counterinsurgents that use excessive force to limit short-term risk alienate the local populace. They deprive themselves of the support or tolerance of the people. This situation is what insurgents want. It increases the threat they pose. Sometimes lethal responses are counterproductive. At other times, they are essential. The art of command includes knowing the difference and directing the appropriate action.

7-25. A key part of any insurgent's strategy is to attack the will of the domestic and international opposition. One of the insurgents' most effective ways to undermine and erode political will is to portray their opposition as untrustworthy or illegitimate. These attacks work especially well when insurgents can portray their opposition as unethical by the opposition's own standards. To combat these efforts, Soldiers and Marines treat noncombatants and detainees humanely, according to American values and internationally recognized human rights standards. In COIN, preserving noncombatant lives and dignity is central to mission accomplishment. This imperative creates a complex ethical environment.

## WARFIGHTING VERSUS POLICING

7-26. In counterinsurgencies, warfighting and policing are dynamically linked. The moral purpose of combat operations is to secure peace. The moral purpose of policing is to maintain the peace. In COIN operations, military forces defeat enemies to establish civil security; then, having done so, these same forces preserve it until host-nation (HN) police forces can assume responsibility for maintaining the civil order.

When combatants conduct stability operations in a way that undermines civil security, they undermine the moral and practical purposes they serve. There is a clear difference between warfighting and policing. COIN operations require that every unit be adept at both and capable of moving rapidly between one and the other.

7-27. The COIN environment frequently and rapidly shifts from warfighting to policing and back again. There are many examples from Iraq and Afghanistan where U.S. forces drove insurgents out of urban areas only to have the insurgents later return and reestablish operations. Insurgents were able to return because U.S. forces had difficulty maintaining civil security. U.S. forces then had to deal with insurgents as an organized combatant force all over again. To prevent such situations, counterinsurgents that establish civil security need to be prepared to maintain it. Maintaining civil security entails very different ethical obligations than establishing it.

7-28. Civil security holds when institutions, civil law, courts, prisons, and effective police are in place and can protect the recognized rights of individuals. Typically this requires that—

- The enemy is defeated or transformed into a threat not capable of challenging a government's sovereignty.
- Institutions necessary for law enforcement—including police, courts, and prisons—are functioning.
- These institutions are credible, and people trust them to resolve disputes.

7-29. Where a functioning civil authority does not exist, COIN forces must work to establish it. Where U.S. forces are trying to build a HN government, the interim government should transition to HN authority as soon as possible. Counterinsurgents must work within the framework of the institutions established to maintain order and security. In these conditions, COIN operations more closely resemble police work than combat operations.

## PROPORTIONALITY AND DISCRIMINATION

7-30. The principle of proportionality requires that the anticipated loss of life and damage to property incidental to attacks must not be excessive in relation to the concrete and direct military advantage expected to be gained. Proportionality and discrimination require combatants not only to minimize the harm to non-combatants but also to make positive commitments to—

- Preserve noncombatant lives by limiting the damage they do.
- Assume additional risk to minimize potential harm.

7-31. Proportionality requires that the advantage gained by a military operation not be exceeded by the collateral harm. The law of war principle of proportionality requires collateral damage to civilians and civilian property not be excessive in relation to the military advantage expected to be gained by executing the operation. Soldiers and Marines must take all feasible precautions when choosing means and methods of attack to avoid and minimize loss of civilian life, injury to civilians, and damage to civilian objects.

7-32. In conventional operations, proportionality is usually calculated in simple utilitarian terms: civilian lives and property lost versus enemy destroyed and military advantage gained. But in COIN operations, advantage is best calculated not in terms of how many insurgents are killed or detained, but rather which enemies are killed or detained. If certain key insurgent leaders are essential to the insurgents' ability to conduct operations, then military leaders need to consider their relative importance when determining how best to pursue them. In COIN environments, the number of civilian lives lost and property destroyed needs to be measured against how much harm the targeted insurgent could do if allowed to escape. If the target in question is relatively inconsequential, then proportionality requires combatants to forego severe action, or seek noncombative means of engagement.

7-33. When conditions of civil security exist, Soldiers and Marines may not take any actions that might knowingly harm noncombatants. This does not mean they cannot take risks that might put the populace in danger. But those risks are subject to the same rules of proportionality. The benefit anticipated must outweigh the risk taken.

7-34. Discrimination requires combatants to differentiate between enemy combatants, who represent a threat, and noncombatants, who do not. In conventional operations, this restriction means that combatants

cannot intend to harm noncombatants, though proportionality permits them to act, knowing some noncombatants may be harmed.

7-35. In COIN operations, it is difficult to distinguish insurgents from noncombatants. It is also difficult to determine whether the situation permits harm to noncombatants. Two levels of discrimination are necessary:

- Deciding between targets.
- Determining an acceptable risk to noncombatants and bystanders.

7-36. Discrimination applies to the means by which combatants engage the enemy. The COIN environment requires counterinsurgents to not only determine the kinds of weapons to use and how to employ them but also establish whether lethal means are desired—or even permitted. (FM 27-10 discusses forbidden means of waging war.) Soldiers and Marines require an innate understanding of the effects of their actions and weapons on all aspects of the operational environment. Leaders must consider not only the first-order, desired effects of a munition or action but also possible second- and third-order effects—including undesired ones. For example, bombs delivered by fixed-wing close air support may effectively destroy the source of small arms fire from a building in an urban area; however, direct-fire weapons may be more appropriate due to the risk of collateral damage to nearby buildings and noncombatants. The leader at the scene assesses the risks and makes the decision. Achieving the desired effects requires employing tactics and weapons appropriate to the situation. In some cases, this means avoiding the use of area munitions to minimize the potential harm inflicted on noncombatants located nearby. In situations where civil security exists, even tenuously, Soldiers and Marines should pursue nonlethal means first, using lethal force only when necessary.

7-37. The principles of discrimination in the use of force and proportionality in actions are important to counterinsurgents for practical reasons as well as for their ethical or moral implications. Fires that cause unnecessary harm or death to noncombatants may create more resistance and increase the insurgency's appeal—especially if the populace perceives a lack of discrimination in their use. The use of discriminating, proportionate force as a mindset goes beyond the adherence to the rules of engagement. Proportionality and discrimination applied in COIN require leaders to ensure that their units employ the right tools correctly with mature discernment, good judgment and moral resolve.

## DETENTION AND INTERROGATION

7-38. Detentions and interrogations are critical components to any military operation. The nature of COIN operations sometimes makes it difficult to separate potential detainees from innocent bystanders, since insurgents lack distinctive uniforms and deliberately mingle with the local populace. Interrogators are often under extreme pressure to get information that can lead to follow-on operations or save the lives of noncombatants, Soldiers, or Marines. While enemy prisoners in conventional war are considered moral and legal equals, the moral and legal status of insurgents is ambiguous and often contested. What is not ambiguous is the legal obligation of Soldiers and Marines to treat all prisoners and detainees according to the law. All captured or detained personnel, regardless of status, shall be treated humanely, and in accordance with the Detainee Treatment Act of 2005 and DODD 2310.01E. No person in the custody or under the control of DOD, regardless of nationality or physical location, shall be subject to torture or cruel, inhuman, or degrading treatment or punishment, in accordance with, and as defined in, U.S. law. (Appendix D provides more guidance on the legal issues concerning detention and interrogation.)

### LIMITS ON DETENTION

7-39. Mistreatment of noncombatants, including prisoners and detainees is illegal and immoral. It will not be condoned. The Detainee Treatment Act of 2005 makes the standard clear:

*No person in the custody or under the effective control of the Department of Defense or under detention in a Department of Defense facility shall be subject to any treatment or technique of interrogation not authorized by and listed in the United States Army Field Manual on Intelligence Interrogation [FM 2-22.3].*

*No individual in the custody or under the physical control of the United States Government, regardless of nationality or physical location, shall be subject to cruel, inhuman, or degrading treatment or punishment.*

7-40. In COIN environments, distinguishing an insurgent from a civilian is difficult and often impossible. Treating a civilian like an insurgent, however, is a sure recipe for failure. Individuals suspected of insurgent or terrorist activity may be detained for two reasons:

- To prevent them from conducting further attacks.
- To gather information to prevent other insurgents and terrorists from conducting attacks.

These reasons allow for two classes of persons to be detained and interrogated:

- Persons who have engaged in, or assisted those who engage in, terrorist or insurgent activities.
- Persons who have incidentally obtained knowledge regarding insurgent and terrorist activity, but who are not guilty of associating with such groups.

People engaging in insurgent activities may be detained as enemies. Persons not guilty of associating with insurgent or terrorist groups may be detained and questioned for specific information. However, since these people have not—by virtue of their activities—represented a threat, they may be detained only long enough to obtain the relevant information. Since persons in the second category have not engaged in criminal or insurgent activities, they must be released, even if they refuse to provide information.

7-41. At no time can Soldiers and Marines detain family members or close associates to compel suspected insurgents to surrender or provide information. This kind of hostage taking is both unethical and illegal.

## LIMITS ON INTERROGATION

7-42. Abuse of detained persons is immoral, illegal, and unprofessional. Those who engage in cruel or inhuman treatment of prisoners betray the standards of the profession of arms and U.S. laws. They are subject to punishment under the Uniform Code of Military Justice. The Geneva Conventions, as well as the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, agree on unacceptable interrogating techniques. Torture and cruel, inhuman, and degrading treatment is never a morally permissible option, even if lives depend on gaining information. No exceptional circumstances permit the use of torture and other cruel, inhuman, or degrading treatment. Only personnel trained and certified to interrogate can conduct interrogations. They use legal, approved methods of convincing enemy prisoners of war and detainees to give their cooperation. Interrogation sources are detainees, including enemy prisoners of war. (FM 2-22.3 provides the authoritative doctrine and policy for interrogation. Chapter 3 and appendix D of this manual also address this subject.)

7-43. The ethical challenges posed in COIN operations require commanders' attention and action. Proactive commanders establish procedures and checks to ensure proper handling of detainees. Commanders verify that subordinate leaders do not allow apparent urgent requirements to result in violations of these procedures. Prohibitions against mistreatment may sometimes clash with leaders' moral imperative to accomplish their mission with minimum losses. Such situations place leaders in difficult situations, where they must choose between obedience to the law and the lives of their Soldiers and Marines. U.S. law and professional values compel commanders to forbid mistreatment of noncombatants, including captured enemies. Senior commanders clearly define the limits of acceptable behavior to their subordinates and take positive measures to ensure their standards are met.

7-44. To the extent that the work of interrogators is indispensable to fulfilling the state's obligation to secure its citizens' lives and liberties, conducting interrogations is a moral obligation. The methods used, however, must reflect the Nation's commitment to human dignity and international humanitarian law. A commander's need for information remains valid and can be met while observing relevant regulations and ethical standards. Acting morally does not necessarily mean that leaders give up obtaining critical information. Acting morally does mean that leaders must relinquish certain methods of obtaining information, even if that decision requires Soldiers and Marines to take greater risk.



### **Lose Moral Legitimacy, Lose the War**

During the Algerian war of independence between 1954 and 1962, French leaders decided to permit torture against suspected insurgents. Though they were aware that it was against the law and morality of war, they argued that—

- This was a new form of war and these rules did not apply.
- The threat the enemy represented, communism, was a great evil that justified extraordinary means.
- The application of torture against insurgents was measured and nongratiuitous.

This official condoning of torture on the part of French Army leadership had several negative consequences. It empowered the moral legitimacy of the opposition, undermined the French moral legitimacy, and caused internal fragmentation among serving officers that led to an unsuccessful coup attempt in 1962. In the end, failure to comply with moral and legal restrictions against torture severely undermined French efforts and contributed to their loss despite several significant military victories. Illegal and immoral activities made the counterinsurgents extremely vulnerable to enemy propaganda inside Algeria among the Muslim population, as well as in the United Nations and the French media. These actions also degraded the ethical climate throughout the French Army. France eventually recognized Algerian independence in July 1963.

## **THE LEARNING IMPERATIVE**

7-45. Today's operational environment requires military organizations at all echelons to prepare for a broader range of missions than ever before. The Services are preparing for stability operations and post-conflict reconstruction tasks with the same degree of professionalism and study given to the conduct of combat operations. Similarly, COIN operations are receiving the attention and study merited by their frequency and potential impact. This broader mission set has significant leader development, education, and training implications, especially for land forces.

7-46. Army and Marine Corps leaders need to visualize the operational and informational impact of many tactical actions and relate their operations to larger strategic purposes. Effectively blending traditional military operations with other forms of influence is necessary. Effective leaders place a stronger emphasis on organizational change, develop subordinates, and empower them to execute critical tasks in consonance with broad guidance. Commanders must influence directly and indirectly the behavior of others outside their chain of command. Leaders are increasingly responsible for creating environments in which individuals and organizations learn from their experiences and for establishing climates that tap the full ingenuity of subordinates. Open channels of discussion and debate are needed to encourage growth of a learning environment in which experience is rapidly shared and lessons adapted for new challenges. The speed with which leaders adapt the organization must outpace insurgents' efforts to identify and exploit weaknesses or develop countermeasures.

7-47. Effective individual professional development programs develop and reward initiative and adaptability in junior leaders. Self-development, life-long learning, and reflection on experience should be encouraged and rewarded. Cultural sensitivity, development of nonauthoritarian interpersonal skills, and foreign language ability must be encouraged. Institutional professional development programs must develop leaders' judgment to help them recognize when situations change from combat to policing. Effective leaders are as skilled at limiting lethal force as they are in concentrating it. Indeed, they must learn that nonlethal solutions may often be preferable.

## **SUMMARY**

7-48. Senior leaders must model and transmit to their subordinates the appropriate respect for professional standards of self-discipline and adherence to ethical values. Effective leaders create command climates that

reward professional conduct and punish unethical behavior. They also are comfortable delegating authority. However, as always, accountability for the overall behavior and performance of a command cannot be delegated. Commanders remain accountable for the attainment of objectives and the manner in which they are attained.